

GREGORY G. ISKANDER, Bar No. 200215  
CRISTINA L. PIECHOCKI, Bar No. 291860  
LITTLER MENDELSON, P.C.  
Treat Towers  
1255 Treat Boulevard, Suite 600  
Walnut Creek, CA 94597  
Telephone: 925.932.2468  
Fax No.: 925.946.9809

Attorneys for Defendant  
RENT-A-CENTER, INC.

ARLO GARCIA URIARTE (Bar No. 231764)  
UN KEI WU (Bar No. 270058)  
LIBERATION LAW GROUP, P.C.  
2760 Mission Street  
San Francisco, CA 94110  
Telephone: 415.695.1000  
Fax No.: 415.695.1006

Attorneys for Plaintiff  
GABRIELA LATINO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GABRIELA LATINO,  
Plaintiff,

v.

RENT-A-CENTER, INC., and DOES 1  
through 10,,  
Defendant.

Case No. 3:16-cv-00324-KAW  
(San Francisco Superior Court Case No.  
CGC-15-549092)

**JOINT STIPULATION AND ~~[PROPOSED]~~  
ORDER SUBMITTING ENTIRE ACTION  
TO ARBITRATION AND STAYING  
PROCEEDINGS**

Complaint Filed: November 20, 2015

Plaintiff GABRIELA LATINO (“Plaintiff”) and RENT-A-CENTER, INC. (“Defendant”), by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS, on November 20, 2015, Plaintiff filed a Complaint against Defendant in the San Francisco Superior Court asserting claims for: (1) Discrimination, (2) Wrongful Termination, (3) Violation of CFRA, (4) Retaliation in Violation of FEHA and CFRA, (5) Failure to Pay All Hours Worked, (6) Failure to Pay Overtime, (7) Failure to Provide Rest Breaks, (8), Failure to Provide Meal Periods, (9) Waiting Time Penalties, and (10) Unfair Competition in Violation of Cal. Business and Professions Code §§ 17200 et. seq.

WHEREAS, on September 16, 2013, Plaintiff entered into a written agreement to arbitrate any and all claims arising out of Plaintiff’s employment with Defendant (the “Agreement”), which Defendant contends is valid and binding with respect to Plaintiff’s claims in this action. A true and correct copy of the Agreement is attached hereto as **Exhibit A**;

WHEREAS, on January 20, 2016, Defendant removed this action to the Northern District of California;

WHEREAS, Plaintiff and Defendant now agree that Plaintiff’s claims should be submitted to binding arbitration, pursuant to the terms of the Agreement;

WHEREAS, the parties agree that Plaintiff’s Complaint against Defendant filed on November 20, 2015 is deemed as the served Request for Arbitration;

WHEREAS, the parties agree to stay all proceedings in this case until arbitration has been completed; provided however, that this stipulation shall not be construed as a waiver of Defendant’s right to seek dismissal of this case upon completion of the binding arbitration.

**NOW, THEREFORE, IT IS HEREBY STIPULATED** between the Parties, by and through their respective attorneys of record, subject to an order of the Court, that:

(1) All of Plaintiff’s claims in this case shall be submitted to final and binding arbitration in accordance with the Arbitration Agreement;

(2) Unless otherwise stipulated to, in writing, by the Parties, a single arbitrator will hear this case and will be selected;

(3) The Parties agree to promptly meet and confer regarding the selection of a mutually agreeable arbitrator;

(4) This action shall be stayed pursuant to 9 U.S.C. § 3 pending the completion of binding arbitration;

(5) The Court shall retain jurisdiction to enter orders regarding the arbitrator's award as provided in 9 U.S.C. §§ 9-13; and

(6) Any and all pending deadlines before or with this Court should be taken off calendar.

**IT IS SO STIPULATED.**

Dated: January 27, 2016

/s/ Cristina L. Piechocki  
GREGORY G. ISKANDER  
CRISTINA L. PIECHOCKI  
LITTLER MENDELSON, P.C.  
Attorneys for Defendant  
RENT-A-CENTER, INC.

Dated: January 27, 2016

/s/ Un Kei Wu  
ARLO GARCIA URIARTE  
UN KEI WU  
LIBERATION LAW GROUP, P.C.  
Attorneys for Plaintiff  
LIBERATION LAW GROUP, P.C.

Pursuant to Local Rule 5-1(i)(3), I, CRISTINA L. PIECHOCKI, attest that concurrence in the filing of this document has been obtained from each of the other Signatories.

DATED: January 27, 2016

/s/ Cristina L. Piechocki  
CRISTINA L. PIECHOCKI  
LITTLER MENDELSON P.C.  
Attorneys for Defendant  
RENT-A-CENTER, INC.

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 2/5/16

  
MAGISTRATE JUDGE KANDIS A. WESTMORE

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